
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS,
SAN ANTONIO DIVISION**

Richard Brewer, et al.	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	Civil Action No. 5:17-CV-00837-DAE
	§	
Ron Nirenberg, et al.	§	
<i>Defendants.</i>	§	

**APPENDIX TO PLAINTIFFS' MEMORANDUM IN RESPONSE TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

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TRAVIS COUNTY

STATE OF TEXAS

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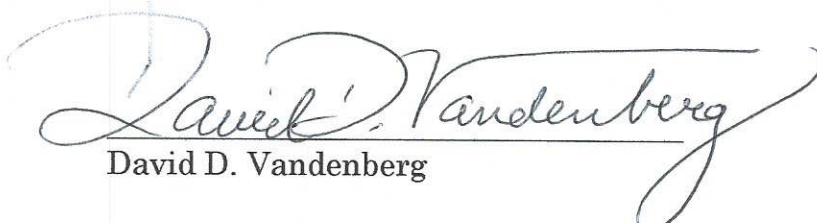
AFFIDAVIT OF DAVID D. VANDENBERG

Before me, the undersigned notary, on this day did personally appear DAVID D. VANDENBERG, affiant, a person whose identity is known to me. After I administered an oath, affiant testified as follows:

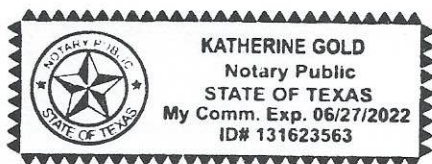
"My name is David D. Vandenberg. I am competent to make this verification. The facts stated within it are within my personal knowledge and are true and correct.

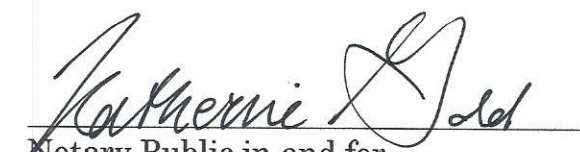
I am plaintiffs' counsel in the matter of Brewer, et al. v. Nirenberg, et al., 5:17-CV-00837-DAE.

To the best of my knowledge, all copies of discovery and documents in the appendix and cited to in the record are true copies of the originals."


David D. Vandenberg

SWORN TO and SUBSCRIBED before me by David D. Vandenberg on August 13, 2018.




Notary Public in and for
The State of Texas

BRAZOS COUNTY

STATE OF TEXAS

§
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§

AFFIDAVIT OF DR. WILLIAM BOYD

Before me, the undersigned notary, on this day did personally appear DR. WILLIAM BOYD, affiant, a person whose identity is known to me. After I administered an oath, affiant testified as follows:

"My name is Dr. William Boyd. I am competent to make this verification. The facts stated within it are within my personal knowledge and are true and correct. The photographs attached to this affidavit are part of this affidavit and show places and events described in this affidavit.

Ft. Lancaster near Sheffield Texas was originally a U.S. Army installation built to protect the stage lines going from San Antonio to El Paso and beyond. In 1861, at the start of the Civil War, it was abandoned by the U.S. Army and for a few months occupied by CSA troops. During that time Pvt. Norris died on 19 Nov 1861 and was buried on the grounds. In 1990, Texas Parks and Wildlife took control of the property from the rancher who acquired it after total abandonment in the 1870's.

It appeared to the Friends of Fort Lancaster, some of whom are SCV members, that Pvt. J. H. Norris's grave was unmarked and so this group researched his death and applied for and received a Veterans Administration grave stone. It was placed on his grave in the 1990's. In the early 2000's, the Texas Historical Commission took over ownership/management of the site and upon finding Pvt. Norris's original grave marker in storage, removed the VA stone. They have tried to reproduce his original marker as built by his Confederate comrades in arms. After some negotiation by and with the TX Div. SCV and the Texas Historical Commission, they agreed to remove the headstone from storage and display it in the visitor's center as Pvt. Norris's Confederate VA grave marker.

In the wording of the display states:

'After the war, surviving members were active in the Confederate Veterans Reunion movement that memorialized their fallen comrades. Today the Sons of Confederate Veterans continues this work.

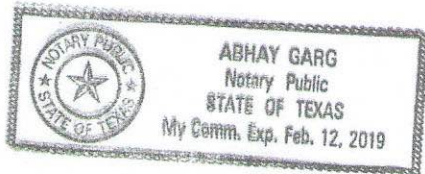
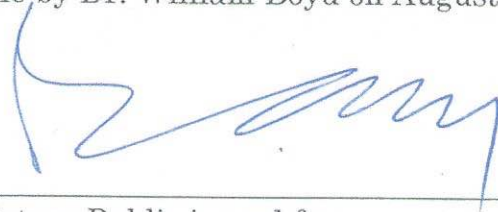
'The Sons of Confederate Veterans (SCV) works to honor fallen Confederate Veterans through marking and commemorating their gravesites.'

As Chief of Staff of the Texas Division of the SCV, I was a principal involved in the negotiations with Texas Historical Commission that led to the current display. The quotations above are an integral part of the exhibit which features the VA grave marker of Pvt. Norris and were written and mounted by the Texas Historical Commission."

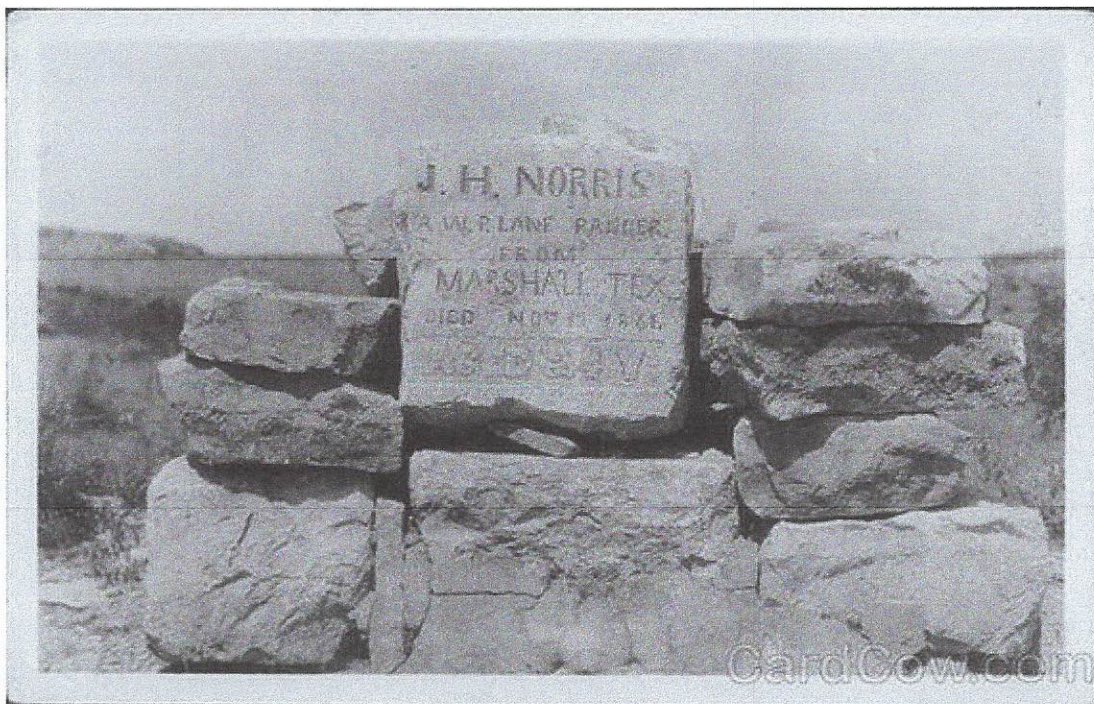


Dr. William Boyd

SWORN TO and SUBSCRIBED before me by Dr. William Boyd on August 11, 2018.



Notary Public in and for
The State of Texas





**Ron Nirenberg, Roberto Trevino,
William Shaw, Rebecca Viagran
Shirley Gonzales, Greg Brockhouse
Ana Sandoval, Manny Pelaez,
John Courage, and Clayton Perry,
Defendants.**

www.pearsoned.com

COUNTY OF TOM GREEN
STATE OF TEXAS

I am well acquainted with the work of the Texas Division Sons of Confederate Veterans (afterwards "TXSCV") and their work across this state erecting monuments and restoring, cleaning & maintaining existing monuments, individual graves & cemeteries in local communities.



